

Introduced by Senator Kehoe

February 19, 2010

An act to amend Section 5002.3 of the Public Resources Code, relating to parks and recreation.

LEGISLATIVE COUNSEL'S DIGEST

SB 1350, as introduced, Kehoe. Parks and recreation: State Park and Recreation Commission hearings.

Existing law requires the State Park and Recreation Commission to classify units of the state park system. The commission is required to schedule a public hearing to consider the classification or reclassification of a unit or approval of the Department of Parks and Recreation's general plan for a unit. Existing law establishes notice requirements for the hearing, including that if the notice of hearing is in a weekly newspaper, a requirement that it appear in the newspaper on at least 2 different days of publication, or that if the notice is in a newspaper that is published more often, a requirement that there be at least 5 days from the first to the last day of publication. Existing law also requires the hearing to be held not less than 30 days, and not more than 60 days, after the last date of publication of the notice.

This bill instead would require the notice to appear on at least 3 different days of publication if the notice is in a weekly newspaper, or, if the notice is in a newspaper that is published more often, that there be at least 7 days from the first to the last day of publication. The bill instead would require the hearing to be held not less than 45 and not more than 90 days after the last date of publication of the notice.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 5002.3 of the Public Resources Code is amended to read:

5002.3. (a) A public hearing shall be scheduled by the State Park and Recreation Commission to consider each matter of classification or reclassification of a unit and of approval of the department's general plan for a unit. Notice of the hearing shall be posted in plain sight at one or more places within the affected unit, published in one or more newspapers of general circulation in each county within which the affected unit is located, and mailed to every person who has filed a request for notice of the hearing with the commission. If the notice of hearing is published in a weekly newspaper, it shall appear therein on at least ~~two~~ *three* different days of publication; and if in a newspaper published more often, there shall be at least ~~five~~ *seven* days from the first to the last day of publication, both days included. The content of the notice of hearing shall substantially comply with the requirements of Section 11346.5 of the Government Code.

Copies

(b) *Copies* of the department's inventory of features, in the case of a hearing on classification or reclassification, or copies of the department's general plan, in the case of a hearing on approval of the plans, shall be made available to the public at the department's appropriate regional and district offices on the last date of publication of the notice.

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(c) *The* hearing shall be held by the commission in, or within a radius of 100 miles of, the City of San Diego, Los Angeles, San Francisco, San Bernardino, Eureka, Redding, Fresno, Ukiah, Monterey, San Luis Obispo, Santa Barbara, or Sacramento, whichever is closest to the unit affected, not less than ~~30~~ *45* days, nor more than ~~60~~ *90* days, after the last date of publication of the notice. The hearing shall be conducted in the manner specified in Section 11346.8 of the Government Code. The vote of each individual member of the commission on each matter of classification or reclassification and of approval of the department's

- 1 general plan shall be recorded when the final decision of the
- 2 commission is announced.

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